

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Services- I & CAD Department-Irregularities in execution of Handri Neeva Sujala Sravanthi (HNSS) canal including CM & CD works in package 23 in Kurnool district - disciplinary action initiated against Sri B. Krishna Reddy, Deputy Executive Engineer (now retired) along with other engineering officials – implementation of orders of the Hon'ble APAT in O.A.No. 12456/2009 dt. 01.11.2011 – Orders - Issued

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IRRIGATION & CAD (SERVICES.X.1) DEPARTMENT

G.O.Rt.No.1219

Dt: 07.12.2011

Read the following:

1. G.O.Rt.No.139, I & CAD (Ser.X.1) Dept., dt. 01.02.2008.
2. G.O.Rt.No.892, I & CAD (Ser.X.1) Dept., dt. 16.7.2008.
3. Interim orders of the Hon'ble APAT in O.A.No. 12456/2009 filed by Sri B. Krishna Reddy, DEE dt. 22.12.2009 .
4. From the GA(COI-CK) Dept., D.O.Ir.No. 1255/COI-CK/A1/2008, dt. 21.01.2010.
5. Govt.Memo.No.19363/Ser.X.1/2006-18, dt. 04.10.2010
6. Orders of the Hon'ble APAT in O.A.No.12456/2009 filed by Sri B. Krishna Reddy, DEE (Retd.)
7. Representation of Sri B. Krishna Reddy, DEE (Retd.) dt. 23.11.2011.

ORDER

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It was brought to the notice of the Government that certain irregularities were taken place in execution of works in package No. 23 of Handri-Neeva Sujala Sravanthi Project (HNSS) against Sri B. Krishna Reddy, Deputy Executive Engineer (now retired) and 12 other personnel of Irrigation Department. Therefore Government have initiated disciplinary action against Sri B. Krishna Reddy Deputy Executive Engineer (now retired) and 12 others, and entrusted the case to the COI appointing Smt. Chandana Khan , IAS, as Inquiry authority to conduct detailed Inquiry on the charges framed against them .

Aggrieved by the above, Sri B. Krishna Reddy, DEE has approached the Hon'ble APAT and filed O.A. No. 12456/2009 against the Articles of Charges. In the reference 3rd read above, the Hon'ble APAT have issued interim orders suspended the Articles of Charges served against him, and the same was received at Govt. on 11.01.2010. Govt. have filed the counter affidavit along with the VMA in the Hon'ble APAT.

In the reference 4th read above, the Inquiry officer has submitted the inquiry report. Govt. have examined the inquiry report and disagreed with the finding of the Inquiry authority and issued show cause notice to Sri B.Krishna Reddy, Dy. Executive Engineer (Retd.), duly communicating the inquiry report mentioning the reasons for disagreement vide reference 5th read above, under Rule -21, of APCS (CCA) Rules, 1991, with a direction to submit his explanation if any in the matter. Sri B.Krishna Reddy, Dy. Executive Engineer (Retd.) has submitted his explanation.

In the reference 6th read above, the Hon'ble APAT have pronounced the judgment on 01.11.2011 in O.A.No.12456/2009 filed by Sri B. Krishna Reddy, Deputy Executive Engineer (Now retired) with CA No. 1303/2010 and VMA 2732/2010. The operational portion of the judgment is as follows:

“..... In these circumstances and in view of the findings given by me in the foregoing paragraphs on the two charges framed against the applicant, the impugned charge memo. is liable to be set-aside. Further, as there is inordinate delay in conclusion of the disciplinary proceedings against the applicant in pursuance of the impugned charge memo., it is also a ground for quashing the charge memo. and also the subsequent proceedings.

Accordingly, the O.A. is allowed, and the charge memo. in G.O.Rt.No.139, I & CAD (Ser.X.1) Department, dt. 1.2.2008 and the consequential proceedings in Memo.No.19363/Ser.X.1/2006-18, dt. 4.10.2010, issued by the 1st respondent are liable to be quashed, and are accordingly quashed. The respondents are directed to release the pensionary benefits to the applicant within a period of six weeks from the date of receipt of this order. VMA is dismissed. C.A. stands closed.”

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In the reference 7th read above, Sri B. Krishna Reddy, Deputy Executive Engineer (Retd.) while enclosing a copy of the orders of APAT, he has stated that he was already retired from service on 31.01.2011, and requested the Government, to release his pension and pensioner benefits, as he has not received any pension so far.

Government after careful examination of the matter, have decided to implement the orders of the Hon'ble APAT duly releasing the pensionary benefits to Sri B. Krishna Reddy, Deputy Executive Engineer (Retd.), subject to review on the outcome of the WP to be filed before the Hon'ble High Court of Andhra Pradesh by the Govt. Accordingly hereby order to implement the orders of the Hon'ble APAT in O.A.No.12456/2009 , and to release pensionary benefits to Sri B. Krishna Reddy, Deputy Executive Engineer (Retd.) subject to review on the outcome of the WP to be filed before the Hon'ble High Court of Andhra Pradesh.

The Engineer-In-Chief (Admn.Wing), I & CAD Department, Hyderabad shall taken necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAILENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Engineer-In-Chief (Admn.Wing) ,
I & CAD Department., Hyderabad.

Copy to :

The individual **through**
the Engineer-in-Chief (Admn.Wing),
I&CAD Department, Hyderabad.

SC/SF

//FORWARDED: : BY ORDER//

SECTION OFFICER